

CHILD SUPPORT PERFORMANCE
AND INCENTIVE ACT OF 1998

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Chair lay before the Senate a message from the House of Representatives to accompany H.R. 3130.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H.R. 3130) entitled "An Act to provide for an alternative penalty procedure for States that fail to meet Federal child support data processing requirements, to reform Federal incentive payments for effective child support performance, to provide for a more flexible penalty procedure for States that violate interjurisdictional adoption requirements, to amend the Immigration and Nationality Act to make certain aliens determined to be delinquent in the payment of child support inadmissible and ineligible for naturalization, and for other purposes", and ask a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. MCCAIN. I ask unanimous consent that the Senate insist on its amendments, agree to the request for a conference, and the Chair be authorized to appoint conferees on the part of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Presiding Officer appointed from the Committee on Finance, Senators ROTH, CHAFEE, GRASSLEY, MOYNIHAN and BAUCUS and from the Committee on Labor and Human Resources, Senators JEFFORDS, COATS and KENNEDY conferees on the part of the Senate.

ORDERS FOR THURSDAY, MAY 21,
1998

Mr. MCCAIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:30 a.m. on Thursday, May 21. I further ask unanimous consent that on Thursday, immediately following the prayer, the routine requests through the morning hour be granted and the Senate then resume consideration of the pending amendments to the tobacco legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. MCCAIN. Mr. President, for the information of all Senators, tomorrow morning at 9:30 the Senate will resume consideration of the Gregg-Leahy amendment pending to the tobacco legislation. It is the chairman's intention to move to table the Gregg-Leahy amendment at approximately 11 a.m. I add at this point, it could be later than that because we have had numerous requests to speak on this amendment. So it could be later than that.

Following that vote, it is hoped that the Democrats would be prepared to offer an amendment under a short time agreement. Following disposition of

the Democrat amendment, it is hoped the Senate could then consider the farmers' protection issue. At the conclusion of debate on the protection issue, the Senate would proceed to a vote on a motion to strike the Ford language, followed by a vote to strike the McConnell-Lugar language. Therefore, the first vote of Thursday's session is expected at approximately 11 a.m. or later, and Members should expect rollcall votes throughout Thursday's session in order to make good progress on this important tobacco legislation.

Once again, the cooperation of all Senators would be necessary for the Senate to complete its work prior to the Memorial Day recess.

ORDER FOR ADJOURNMENT

Mr. MCCAIN. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order, following the remarks of Senator LAUTENBERG.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL TOBACCO POLICY AND
YOUTH SMOKING REDUCTION ACT

Mr. LAUTENBERG. Mr. President, I thank the distinguished Senator from Arizona for allowing time for me to make a few concluding remarks here, because I want to discuss an amendment that is one of those offered and pending. It is the Gregg-Leahy amendment. I want to express my opinion on this because I think this is a cornerstone issue in terms of this piece of legislation, the tobacco bill altogether. I simply do not believe that we should provide special legal protection to the tobacco industry.

This isn't a vote about holding together a coalition, as is often described, or some other purpose other than determination as to how this country conducts itself vis-a-vis its tobacco policy. This is going to be a straight vote, up or down, about providing this industry with unprecedented legal protections.

Now, I described it before as kind of a cornerstone issue, because if these special protections that are being talked about in this bill, eliminating immunity for this industry that certainly doesn't deserve immunities in my eyes, tobacco companies, if the bill stands unmodified, unamended, tobacco companies will get special legal protection for having such things as arsenic in its products. But another industry that might use arsenic in its products would not enjoy such protection. They would have to list their product, be very specific, get permission to use it, et cetera. Why in the world would we want to do that—because arsenic is a very dangerous material among the many materials, 500 items, that are included typically in a cigarette.

Why, of all the industries that we have in the United States, would we

want to provide special legal protection to the tobacco industry? We are talking about an industry that has continuously lied to Congress, lied to the American people, deceived them about what might happen if they picked up, started smoking cigarettes. The average person wouldn't have the foggiest idea—warnings could be dangerous to health. It doesn't say it is almost guaranteed to make you an addict. It doesn't say if you took these ingredients apart, there are many that are quite toxic. If the labels on the package said you might die if you do this, you might die early, you might die at a prime time in your life when you would like to be with your family and your friends, when you would like to be able to enjoy life, be able to do the things that you do athletically or functionally or vocationally, it doesn't say on there, hey, listen, if you start this, first of all, you will be spending thousands of dollars a year to support this habit.

Having been a smoker, I am somewhat of an expert on the subject. I am not a zealot. I don't say that just because I took the cure, so to speak, that other people have to take it. But I know what it is that got me around to ceasing my smoking habit, and it was the love of a child. It was when my youngest daughter of three children, who was about 7 or 8 years old, came up to me one night when I lit a cigarette after a meal and said "Daddy, why do you smoke?" And I said, "Well, I enjoy it. It is restful, makes me feel good." And she said—this is a child in first or second grade—and she said, "Today we learned if you smoke you get a black box in your throat." She said, "Daddy, I love you. I don't want you to have a black box in your throat." This is after I had been smoking some 20 years.

I smoked before I went in the Army and I made sure I smoked when I was in the Army. When I was overseas during the war, I was used to trading butts with my friends. I would take a puff, they would take a puff. Smoking was part of your life—not only part of your life, it was part of your resources. It was a currency. You could trade it for some fresh fruit. You could trade it for a bottle of water—we didn't drink much bottled water in those days, but whatever you chose to have. It was currency. It was more valuable than the French franc or the Dutch guilder—places I was stationed—or the Belgium franc, or the mark, for sure.

So here I smoked and this child brought me to my senses, my daughter. I tried to stop, I would say at least a dozen times. She convinced me in that little message—"I love you. I don't want you to have a black box in your throat." All I could think about were those beautiful big eyes looking at me the next couple of days and that was the end of my smoking. Thank goodness that child did me an enormous favor.